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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

AMERY GASPARD, et al., } Case No. EDCV 15-01802-BRO (KES)
Plaintiffs, } ORDER ACCEPTING FINDINGS,
v. } CONCLUSIONS, AND
DEA TASK FORCE, et al., } RECOMMENDATIONS OF UNITED
Defendants. } STATES MAGISTRATE JUDGE

Pursuant to 28 U.S.C. § 636, the Court has reviewed the pleadings and all the records and files herein, along with the Report and Recommendation of the United States Magistrate Judge. No Objections to the Report and Recommendation have been filed by any party. The Court hereby approves and accepts the findings, conclusions, and recommendations of the United States Magistrate Judge.

IT THEREFORE IS ORDERED that (1) the following claims are dismissed *without leave to amend and with prejudice*:

- All claims against the Moving Defendants City of Ontario, County of Riverside, Sheriff Sniff, County of San Bernardino and Sheriff McMahon;

- 1 • All claims against Defendant “DEA Task Force;”
- 2 • All claims against Defendant Farrow;
- 3 • All claims under sections 1985 and 1986; and
- 4 • All section 1983 claims against Defendant Rosenburg; and
- 5 (2) the following remaining claims are dismissed *with leave to*

6 *amend:*

- 7 • All section 1983 claims against the City of San Bernardino and
- 8 the Individual SBPD Defendants (Karmann, Schuelke, Thornburg,
- 9 Vasquez, Vega, Campos, Madrigal, Valdivia, Bennett, Luna and
- 10 Koalou);

- 11 • All Bivens claims against the City of San Bernardino, the
- 12 Individual SBPD Defendants and Defendant Rosenburg;

- 13 • All of Plaintiff Gaspard’s ADA claims against the City of San
- 14 Bernardino and the Individual SBPD Defendants.

15 If Plaintiffs’ wish to pursue the above-noted claims, Plaintiffs’
16 Second Amended Complaint (“SAC”) shall be due within thirty (30)

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1 days from the date of entry of the District Court's Order.¹
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3 IT IS SO ORDERED.

4 DATED: May 4, 2016



5 HON. BEVERLY REID O'CONNELL
6 United States District Judge

17 ¹ If Plaintiffs' choose to file a Second Amended Complaint, it
18 should bear the docket number assigned in this case, be labeled "Second
19 Amended Complaint," and be complete in and of itself without reference
20 to the original or First Amended Complaint or any other pleading or
21 document. Plaintiffs may serve the Second Amended Complaint on all
22 Defendants who have appeared by serving their counsel of record.
23 Plaintiffs must serve any Defendants who have not yet appeared in a
24 manner that satisfies Federal Rule of Civil Procedure 4 and then file a
25 proof of service declaration.